

Department of Health
Health Professions Quality Assurance
BOARD OF MASSAGE
MEETING MINUTES

April 25 – 26, 2004

9:00 AM

Coast Wenatchee Center Hotel, 201 N. Wenatchee Ave., Wenatchee, WA 98801

BOARD

MEMBERS: ROSEMARY FOSTER, LMP, CHAIR
SCOTT MILLER, LMP
JOHN PIETY, PUBLIC MEMBER
KARIN OLSEN, LMP, VICE-CHAIR

ABSENT

MEMBER: MORGAN CALEY, LMP

STAFF

PRESENT: Gail Zimmerman, Executive Director
Kirby Putscher, Deputy Executive Director
Vicki Brown, Program Manager
Kristi Weeks, Staff Attorney
Dave Magby, Chief Investigator
Jean Sullivan, Executive Director, Washington Health Professional
Services

Sunday, April 25, 2004 – 9:00 a.m. – OPEN SESSION

1. CALL TO ORDER

The meeting was called to order at 9:20 a.m. by Rosemary Foster, LMP, Chair.

1.1 Opening Remarks

Ms. Zimmerman thanked the Board members and the audience for coming and participating.

1.2 Introductions

Ms. Putscher introduced the Department staff to the Board. Ms. Zimmerman informed the Board of their new program manager, Erin Obenland, and gave a

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1.2 Introductions (continued)

brief overview of her background. The audience introduced themselves to the Board.

1.3 Approval of Agenda

The agenda was approved as amended. The amendments were:

- Item 15 Introduction of New Assistant Attorney General – Kristin Mitchell, Assistant Attorney General, was stricken from the Monday, April 26, 2004 agenda and
- Item 13 Continuing Education Audits was placed under closed session for the Sunday, April 25, 2004 agenda.

1.4 Approval of December 21, 2004 Meeting Minutes

The minutes of December 21, 2003 are to be added to the next agenda for approval.

2. ELECTION OF OFFICERS

Rosemary Foster, LMP was nominated for the position of Chair and was unanimously approved.

Karin Olsen, LMP was nominated for the position of Vice-Chair and was unanimously approved.

3. ROLE OF THE BOARD, BOARD MEMBERS AND THE DEPARTMENT OF HEALTH

Ms. Zimmerman presented the Board with information and an overview of the Department of Health and the Massage profession. She explained the difference between Boards, Commissions and Committees and that the Massage Program has both Board and Secretary authority. There was discussion on the applicable laws the Board of Massage fall under and the Board's roles and responsibilities. The role and authority of the Board will be included on a future agenda.

4. LICENSING PROCESS

Ms. Brown and Ms. Putscher provided the Board with an overview of the current licensing process and the timelines associated with initial licensure. Staff will provide an

4. LICENSING PROCESS (continued)

update on the National Board Certification of Therapeutic Massage and Bodywork (NBCTMB) examination issue at a future meeting.

5. OVERVIEW OF THE DISCIPLINARY PROCESS

Ms. Putscher presented an update on the disciplinary process and the number of disciplinary actions in 2003. The Board and audience were given a copy of the policy on felony and gross misdemeanors, a copy of the complaint threshold policy for the Massage profession and an information sheet on the case management process. Ms. Zimmerman shared information on workload statistics for the 2001 – 2003 biennium versus the statistics for the 1999 – 2001 biennium.

**6. JOINT DEPARTMENT OF HEALTH / DEPARTMENT OF LICENSING
STATEMENT ON OVERLAPPING SCOPES OF PRACTICE**

Ms. Putscher updated the Board with information on the joint Department of Health (DOH) / Department of Licensing (DOL) overlapping scope of practice for Massage Therapists and Estheticians. It was noted that DOH and DOL jointly participated in several meetings to come to this agreement.

7. CONTINUING EDUCATION ISSUE

Ms. Putscher updated the Board regarding continuing education and the audit process. Ms. Zimmerman provided additional background on continuing education audits. The Board will be reviewing the current continuing education rule for possible revision.

8. CONCERNS/ISSUES FROM THE PROFESSION

The Chair opened up the meeting to the audience to hear any concerns or issues that they might have. Some of the concerns/issues were:

- Acceptable continuing education
- Professional or public liability insurance
- Practitioner posting a sign stating whether or not they have insurance
- Housekeeping changes to the rules
- Individuals taking the animal massage courses that are not licensed massage practitioners.

9. SITE REVIEW PROCESS

A motion was made and passed unanimously to defer this item to the next meeting.

10. JURISDICTION REVIEW PROCESS

A motion was made and passed unanimously to defer this item to the next meeting.

11. HEALTH PROFESSIONS QUALITY ASSURANCE – LEGAL UNIT

Kristi Weeks, staff attorney, for the Massage program introduced herself and presented a brief history of her background. Ms. Weeks provided the Board with information regarding:

- Staff attorney assignments
- Case management team and the disciplinary process
- Unprofessional conduct
- Closure codes by step
- The difference between a Notice of Correction (NOC), Statement of Allegation/Stipulation to Information Disposition (SOA/STID) and a Statement of Charges (SOC)

CLOSED SESSION

12. JURISDICTION AND SCHOOL PROGRAM REVIEW

Reviewing Board members will be presenting jurisdiction and program approval requests for the full Board's consideration and action.

13. CONTINUING EDUCATION AUDITS

The Board members will be reviewing continuing education audits for compliance or non-compliance.

ADJOURNMENT

The meeting adjourned at 6:00 p.m. on Sunday, April 25, 2004.

Monday, April 26, 2004 – 9:00 a.m. – OPEN SESSION

The meeting was called to order at 9:00 a.m. by Rosemary Foster, LMP, Chair.

There was a motion to move Item 13 from Sunday, April 25, 2004's agenda to be continued to today in closed session. The motion passed unanimously.

14. OPENING REMARKS AND INTRODUCTIONS

Ms. Zimmerman addressed the Board and presented a brief overview of the philosophy of the Department.

15. HEALTH PROFESSIONS QUALITY ASSURANCE – INVESTIGATIVE SERVICES UNIT

Ms. Zimmerman introduced Dave Magby, Chief Investigator to the Board. Mr. Magby provided the Board with a synopsis of the Investigative Services Unit (ISU), his background and the number of programs that ISU work with. Mr. Magby explained the difference between outside the scope of practice and standard of care.

CLOSED SESSION

10:10 a.m. to 10:45 a.m.

13. CONTINUING EDUCATION AUDITS (continued from Sunday, April 25, 2004)

The Board members will be reviewing continuing education audits for compliance or non-compliance.

OPEN SESSION

10:50 a.m. to 11:15 a.m.

16. WASHINGTON HEALTH PROFESSIONAL SERVICES

Ms. Jean Sullivan was introduced to the Board. Ms. Sullivan presented an overview of the Washington Health Professional Services and how they fit in with the Department of Health and the practitioners.

CLOSED SESSION

11:15 a.m. to 11:45 a.m.

13. CONTINUING EDUCATION AUDITS (continued)

The Board members will be reviewing continuing education audits for compliance or non-compliance.

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OPEN SESSION

11:45 a.m. to 11:52 a.m.

17. PLANNING FOR NEXT MEETING

The Board would like the following items on a future agenda:

- Introduction of new Assistant Attorney General
- 2003 – 2005 Goals and Objectives
- Operating Agreement
- Minimum Education Requirements for Licensing
- Minimum Number of Board Members and Possible use of Pro-Tem Members
- NBCTMB Exam Issue Update
- List of all Complaint Types
- Rules Process
- Possible Rule Changes (Housekeeping)
- Board's Role – What a Public Member Can and Can Not do on Their Own

18. OTHER

The Board requested staff to change the location of the August 1, 2004 meeting to the Lakeway Inn in Bellingham. The November 14, 2004 meeting will be held in Tumwater at the Department of Health.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:52 a.m. on Monday, April 26, 2004.

Submitted by:

Approved by:

Vicki L. Brown, Program Manager

Rosemary Foster, LMP, Chair